

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

May 23, 2003

IN RE:

**EAST TENNESSEE NETWORK, LLC
INTRALATA TOLL DIALING PARITY PLAN**

**DOCKET NO.
03-00213**

ORDER APPROVING INTRALATA TOLL DIALING PARITY PLAN

This matter came before Chairman Sara Kyle, Director Pat Miller, and Director Ron Jones of the Tennessee Regulatory Authority (the "TRA" or "Authority"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on April 24, 2003, to consider a request by East Tennessee Network, LLC ("ETN" or "the Company") for approval of its IntraLATA Toll Dialing Parity Plan (the "Plan"), which was filed with the TRA in letter form on March 19, 2003.

Statutory Framework

Section 251(b) of the Telecommunications Act of 1996 requires every Local Exchange Carrier ("LEC") to provide dialing parity.¹ In furtherance of this requirement, all LECs must file a plan for providing intraLATA toll dialing parity in each state in which it offers telephone exchange service.² Under 47 C.F.R. §51.213(b), the plan must include the following information:

(1) A proposal that explains how the LEC will offer intraLATA toll dialing parity for each exchange that the LEC operates in the state, in accordance with

¹ 47 U.S.C. § 251(b).

² 47 C.F.R. § 51.213(a).

the provisions of this section, and a proposed time schedule for implementation; and

(2) A proposal for timely notification of its subscribers and the methods it proposes to use to enable subscribers to affirmatively select an intraLATA toll service provider.

(3) A LEC that is not a BOC also shall identify the LATA with which it will associate for the purposes of providing intraLATA and interLATA toll dialing parity under this subpart.

The plan should also include any other information required by the TRA.³ Further, implementation of dialing parity must permit customers to pre-subscribe, at a minimum, to one carrier for intraLATA toll service and to the same or a different carrier for interLATA toll service;⁴ may not automatically assign a customer's intraLATA toll traffic to any carrier;⁵ and should include a plan for any recovery of incremental costs associated with providing toll dialing parity.⁶

Background

ETN is a telecommunications company that was certified to provide local exchange and interexchange service in Tennessee on November 7, 2001 in Docket 01-00728. In its application for a Certificate of Convenience and Necessity ("CCN"), ETN expressed its intention to initially offer only data services, therefore, no toll dialing parity plan was filed at that time. The Company stated in its CCN application that a plan would be filed sixty days before any intrastate voice grade local exchange service is offered in Tennessee. ETN filed this request for approval of its IntraLATA Toll Dialing Parity Plan on March 17, 2003 in compliance with that condition. The Plan is attached hereto as Exhibit A and is fully incorporated herein by this reference.

³ *In the Matter of Implementation of the Local Competition Provisions of the Telecommunications Act of 1996*, FCC 96-333 (Second Report and Order and Memorandum Opinion and Order) 11 F.C.C.R. 19,392, n. 82 (August 8, 1996).

⁴ 47 C.F.R. § 51.209(b).

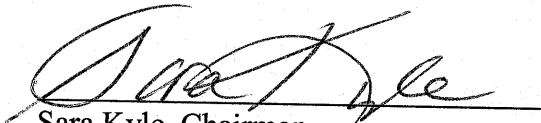
⁵ 47 C.F.R. § 51.209(c).

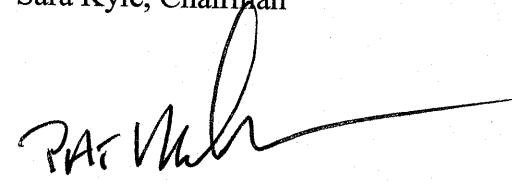
⁶ 47 C.F.R. § 51.215.

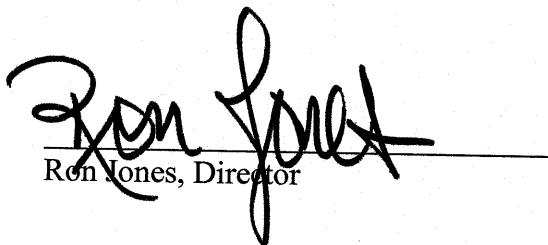
Upon review, the Plan was found to be consistent with both state and federal requirements, as well as plans previously approved by the TRA, and to be fair to consumers, other carriers, and to ETN. The Directors considered the Plan at the April 24, 2003 Authority Conference and approved it unanimously.

IT IS THEREFORE ORDERED THAT:

1. The IntraLATA Toll Dialing Parity Plan of East Tennessee Network, LLC is hereby approved and incorporated in this Order as if fully rewritten herein; and
2. Any party aggrieved by the TRA's decision in this matter may file a Petition for Reconsideration with the TRA within fifteen (15) days from the date of this Order.


Sara Kyle, Chairman


Pat Miller, Director


Ron Jones, Director



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P.O. Box 1387
Greeneville, TN 37744
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TN REGULATORY AUTHORITY
DOCKET ROOM

March 13
~~December~~ 13, 2003

Mr. David Foster
Tariff Manager
Tennessee Regulatory Authority
460 James Robertson Parkway
Nashville, TN 37243-0505

Re: East Tennessee Network Toll Dialing Parity Plan

03-00213

Dear Mr. Foster:

Please find enclosed an original and fourteen (14) copies of the Toll Dialing Parity Plan for East Tennessee Network, LLC. Please return to us the extra copies stamped "filed" in the enclosed self-addressed and postage pre-paid envelope.

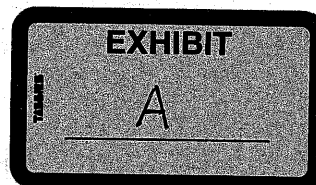
East Tennessee Network, LLC, was certificated to provide Local Exchange and Interexchange service in Tennessee in Docket Number 01-00728. In its application, East Tennessee Network stated it would file a Toll Dialing Parity Plan in advance of any deployment of voice service in Tennessee. East Tennessee Network is preparing to deploy voice service and requests approval of this Plan.

Thank you for your assistance in this matter. Should you have any questions, please do not hesitate to contact me.

Sincerely,

C. Duane Uhls

C. Duane Uhls
Chief Operating Officer
East Tennessee Network, LLC



EAST TENNESSEE NETWORK, LLC

INTRALATA TOLL DIALING PARITY IMPLEMENTATION PLAN

1. Purpose

East Tennessee Network, LLC, describes herein the process for implementing IntraLATA Toll Dialing Parity (Plan) in its exchanges located in the State of Tennessee. The intent of this plan is to provide a proposal that, upon implementation, would provide customers with the ability to pre-select the telecommunications carrier of their choice for routing their 1+intraLATA toll calls.

2. IntraLATA Environment

East Tennessee Network, LLC, is implementing 1+IntraLATA toll calling. Implementation of 1+IntraLATA toll dialing parity will permit our customers to pre-select the carrier of their choice to provide 1+IntraLATA long distance services.

3. Implementation Schedule

East Tennessee Network, LLC will implement intraLATA toll dialing parity coincident with the approval of its General Subscriber Services tariff and Interexchange Service tariff. Each customer will be notified of availability of the Plan by bill inserts in their first billing.

4. Carrier Selection Process

East Tennessee Network, LLC, will implement the full 2-PIC carrier selection methodology. With the full 2-PIC methodology, customers will be able to pre-subscribe to one telecommunications carrier for interLATA toll calls and pre-subscribe to the same or a different participating telecommunications carrier, including their existing local exchange company for intraLATA toll calls.

East Tennessee Network, LLC, employees who communicate with the public, accept customer orders, and serve in customer service capacities will be trained to explain the process to customers for making PIC changes for intraLATA toll calls. Business Office personnel will be prepared to make changes in customer records based upon requests from customers or carriers. Processes are in place to provide new customers with an opportunity to choose their intraLATA toll carrier from available carriers.

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Customers will be assessed a PIC change charge of \$5.00 for changing their intraLATA carrier, except for new subscribers to East Tennessee Network, LLC, service.

Customers who contact East Tennessee Network, LLC, requesting new telephone exchange service will be advised of the telecommunication carriers (including East Tennessee Network, LLC) available to provide interLATA toll service. The intraLATA toll carriers will be presented in a competitively neutral manner. Customers who do not make a positive choice for an intraLATA toll carrier will be identified as a "no-PIC" and will not be automatically defaulted to a carrier. Customers identified as "no-PIC" will be required to dial 101XXXX to place intraLATA toll calls until they make an affirmative choice for an intraLATA toll carrier.

Respectfully submitted,

C. Duane Uhls
CEO
December 6, 2002